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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,415	01/02/2001	Paul J. Rank	0007056-0054	3147

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EXAMINER

VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 07/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/754,415

Applicant(s)

RANK, PAUL J.

Examiner

Gregory J. Vaughn

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Application History

1. This action is responsive to the application amendment, filed on 4/18/2005.
2. Applicant has amended claims 1 and 9.
3. Claims 1-16 are pending in the case, claims 1 and 9 are independent claims.
4. Examiner's rejection of claims 1-16, made under 35 USC 103, as being unpatentable over Barile et al. US Patent 5,977,886, in view of Metz et al. US Patent 5,768,539, Bukszar et al. US Patent 6,133,916 or Hoffberg et al. US Patent 5,901,246 as recited in the previous office action (dated 1/13/2005) are withdrawn in view of the amended claims.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

"A person shall be entitled to a patent unless –

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language."

6. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Rouse et al. US Patent publication 2002/0087620, filed 12/29/2000, published 4/4/2002 (hereinafter Rouse).

7. **Regarding independent claim 1**, Rouse discloses determining a subset of functions associated with a file from a set of functions associated with an application of the file. Rouse recites: *"Design filter 314 may validate that the design elements do not contain elements that are not needed or are not supported by the destination device (e.g., mobile device). Elements not needed may be removed and elements that are not supported may result in compile and/or other errors. Script compiler 316 may convert a subset of functions and JavaScript (or other script) to WML script (or other wireless script)"* (page 4, paragraph 44). Rouse discloses downloading the file and the

subset of functions to a PDA. Rouse recites: "*Style sheet generator 318 may use XSL style sheets to generate application specific XSL style sheets that may become part of a compiled mobile application and may be used by a wireless servlet at run-time. Other types of style sheets may also be generated. Output packager 320 may store a compile output in a special mobile class. Compile output may include an application digest, style sheets and script compilation units. Other information may also be included in a compile output*" (page 4, paragraph 44). Rouse further discloses in Figure 1 at reference sign 116, a mobile server provider downloading the compile output to the wireless device (reference sign 130).

8. **Regarding dependent claim 2**, Rouse discloses determining the subset of functions based upon a user preference in Figure 2 at reference sign 216 (shown as "*User App. Preferences*").
9. **Regarding dependent claim 3**, Rouse discloses determining the subset of functions as a family of functions Rouse recites: "*a list of possible customized replies, which may include "will discuss later", "will call later" and other replies*" (page 2, paragraph 22).
10. **Regarding dependent claim 4**, Rouse discloses displaying the subset of functions as a list. Rouse discloses a listing of the subset of functions in Figure 6, at reference sign 640.

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11. **Regarding dependent claim 5**, Rouse discloses using the family of functions to recognize additional functions. Rouse recites: *"Customized replies may be predetermined for varying types of actions. For example, for a stock broker, possible replies may include "buy", "sell", "hold", etc."* (page 2, paragraph 22).
12. **Regarding dependent claim 6**, Rouse discloses a user selecting additional functions. Rouse recites: *"The mail menu screen 600 may include various viewing options which the user may select"* (page 5, paragraph 51).
13. **Regarding dependent claim 7**, Rouse discloses a family of financial functions. Rouse recites: *"For example, for a stock broker, possible replies may include "buy", "sell", "hold", etc"* (page 2, paragraph 22).
14. **Regarding dependent claim 8**, Rouse discloses prompting a user to choose whether to download the file and subset. Rouse recites: *"Viewing options may include enabling the user to choose which features (or lines) of a message that the user would like to make viewable"* (page 4, paragraph 49).
15. **Regarding claims 9-16**, the claims are directed toward a computer program for the method of claims 1-8, respectively, and are rejected with the same rationale.

Response to Arguments

16. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection, as described above.

Conclusion

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

18. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

<u>Patent/Publication</u>	<u>Date</u>	<u>Inventor</u>
• US2001/0034588	10-2001	Agrawals et al.

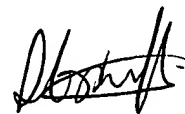
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- US2002/0103908 08-2002 Rouse et al.
- US - 6,639,584 10-2003 Li, Chuang

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



STEPHEN HONG
SUPERVISORY PATENT EXAMINER

Gregory J. Vaughn
June 30, 2005